Case 5:22-cvinoping finitodestrates district 2002 Page 1 of 2 FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

UNITED STATES OF AMERICA ex rel.

JESUS NUNEZ-UNDA,

Plaintiffs,

VS.

CIVIL ACTION NO. SA-22-CV-659-FB

LAFAYETTE RE MANAGEMENT LLC;

BRANDYWINE HOMES USA LLC; and
THIBAULT ADRIEN,

Defendants.

ORDER GRANTING UNITED STATES' MOTION TO UNSEAL

Before the Court is the United States' Notice of Partial Intervention for Purposes of Settlement and Motion to Unseal filed December 6, 2024 (docket #20). The United States advises that the United States of America, Relator Jesus Nunez-Unda, and Defendants Lafayette RE Management LLC ("Lafayette") and Thibault Adrien have reached a settlement in this action which requires Lafayette and Adrien to pay the settlement amount within forty-five (45) days of execution. Upon receipt of that payment, the United States and Relator intend to file a Joint Stipulation of Dismissal in this action pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

The United States advises further that for purposes of settlement, and pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), it hereby notifies the Court of its decision to intervene in part of this action and to decline to intervene in part of this action. Specifically, the United States intervenes in that part of the action alleging that Lafayette and Adrien falsely stated on Lafayette's Paycheck Protection Program ("PPP") loan application that the requested loan was necessary because of the economic uncertainty Lafayette faced due to the COVID-19 pandemic, which caused Lafayette and Adrien to receive more funds than they were entitled to receive. The United States explains that it intervenes in that part of the action alleging that Lafayette and Adrien applied for and received forgiveness of the entire amount of Lafayette's PPP loan by submitting a loan forgiveness application containing false statements but declines to intervene in the remainder of this action.

In addition, the United States requests that the Relator's Complaint, this Notice, and the attached

Proposed Order be unsealed but that all other papers on file in this action remain under seal because in

discussing the content and extent of the United States' investigation, such papers are provided by law

to the Court alone for the sole purpose of evaluating whether the seal and time for making an election

to intervene should be extended. The United States finally requests that the seal be lifted as to all other

matters occurring in this action after the date of the Court's order and that the docket be unsealed on

the Court's CM/ECF system and PACER. The Court finds the motion has merit and should be granted.

Accordingly, IT IS HEREBY ORDERED that the United States' Motion to Unseal (docket #20)

is GRANTED such that:

1. The Complaint, the United States' Notice of Partial Intervention for Purposes of

Settlement and Motion to Unseal, and this Order are UNSEALED, but that all other

papers or orders on file in this matter shall remain under seal.

2. It is FURTHER ORDERED that the seal be lifted on all other matters occurring in this

action after the date of this Order, and that the docket be unsealed on the Court's

CM/ECF system and PACER.

It is so ORDERED.

SIGNED this 16th day of December, 2024.

UNITED STATES DISTRICT JUDGE